

Lake Michigan Coastal Program Advisory Board Inaugural Meeting

April 30, 2003

6:30 PM

Northwestern Indiana Regional Planning Commission Office
6100 Southport Road, Portage, IN

Minutes

Deborah Messenger kicked off the meeting at 6:40 p.m. Attendees were invited to sign an attendance sheet; indicating name, organization represented and email address. Harry Nikides, Director of the DNR Division of Soil Conservation, then introduced himself and welcomed all who turned out.

INTRODUCTIONS

Board Members (stakeholder group): (seated at tables) Henry Bliss (Porter County Citizen), David Pilz (Porter County City or Town), Dr. Mark Reshkin (Universities), Paul Labus (Local Land Trusts/Land Holding Nature Conservancy), Ian Steele (LaPorte County City or Town), Dorreen Carey (Lake County City or Town), Dionne Wisniewski (Tourism), Kevin Breitzke (NIRPC), J. Allen Johnson (Lake County Citizen), Tim Morgan (Local Parks and Recreation), John Hodges for John Smolar (Lake Dependent Uses), Tom Keilman (Industry and Business), Charlotte Read (Environment), Stephen Mosher (Port of Indiana at Burns Harbor), John Heidbreder (Historical Resources), Edgar Corns (Agriculture), Jack Hires (Lake Michigan Aquatic Resources), Tammy Steinhagen (LaPorte County Citizen) (seated in gallery), Bill Moran (NRCS), Liz McCloskey (USFWS), Brian Miller (Illinois-Indiana Sea Grant), Adriane Blaesing (IDEM), Don Wadleigh and Susanne Davis for Jan Miller (US ACOE), Jim Juricic (INDOT), John Kennedy for Niles Parker (IDOC).

Board Members Absent: Dale Engquist (Indiana Dunes National Lakeshore), Rudolph Clay (Lake County Commission), John Evans (Porter County Commission), William Hagar (LaPorte County Commission), John Smolar (Lake Dependent Uses), Niles Parker (IDOC), Judy Beck (US EPA)

Others interested parties: Jenny Kintzele (DNR), Andi Pierce (DNR), Jennifer Gadzala (NIRPC), Steve Lucas (NRC), Warren Buckler, Robin Scribailo, Dan Gardner, Beth Forsness (DNR), Larry Osterholz (DNR), Deborah Messenger (DNR), Harry Nikides (DNR) and Gene Matzat (Purdue University).

OVERVIEW OF THE LAKE MICHIGAN COASTAL PROGRAM (LMCP)

Harry Nikides referred to the second tab in a reference binder mailed to board members by Coastal Program staff. In August 2002, official approval was given to Indiana to participate in the federal Coastal Program. Harry mentioned the following program goals:

- Protect and restore significant natural resources;
- Prevent the loss of life and property in coastal hazard areas;
- Improve public access for recreational purposes;
- Protect and restore important historic and cultural resources;
- Improve government coordination and policy and decision making;
- Prevent, reduce, or remediation of nonpoint source pollution that affects coastal waters;
- Revitalize urban waterfronts and ports; and
- Provide for priority water dependent uses.

This is a set of goals that was developed through local discussions involving numerous stakeholders and reflects the same goals stated in the LMCP document.

Boundary: The LMCP area includes northern Lake, Porter, and LaPorte Counties but excludes land owned, leased or held in trust for the federal government. The northern boundary is the Indiana-Michigan state line and Indiana's portion of Lake Michigan. The western boundary is the Illinois-Indiana state line. The southern and eastern boundary follows roadways that closely follow the watershed topographic boundary (shaded gray line on map in binder).

Administration: The LMCP will be administered through the program coordinator/manager housed in IDNR Division of Soil Conservation at the state office in Indianapolis.

Grants program (p.4): One of the tasks for the LMCP Advisory Board will be to help set priorities on emerging issues. The DNR Director will make a final decision on grants after review and recommendations by the Advisory Board and technical advisory team. The first round of grants will be awarded after October 1, 2003.

COASTAL ADVISORY BOARD (CAB)

Harry explained the Coastal Advisory Board will establish stakeholder representation, set priorities (will also offer input on the grants program's three categories: (1) coastal natural resources protection and restoration; (2) coastal community enhancement and sustainability; and (3) emerging issues), encourage public involvement, and assist with planning and coordination of coastal areas of significance. The various stakeholder groups represented on the CAB were listed. The CAB will have 22 voting members (expanded tourism, industry & commerce into 2 seats and added land trusts) and 6 non-voting members.

Kevin Breitcke asked if a technical advisory team was named yet? Harry stated they had been, except for the program coordinator. Interviews for the new coordinator were to take place on May 1, 2003. A printed listing will be presented at the next meeting. Jenny Kintzele provided the following names for those appointed to the Technical Advisory Team:

- Lake Michigan Coastal Program Manager - TBA
- Lake Michigan Specialist - Steve Davis
- Lake Michigan Fisheries Biologist - Brian Breidert
- Regional Ecologist - Tom Post
- Regional Agricultural Specialist - Jennifer Bratthauar
- Regional Stormwater Specialist - Larry Osterholz
- Indiana Dunes State Park - Ted Bohman

Doreen Carey asked if voting members serving on the board could still represent entities that can apply for coastal grants? Yes, entities represented by voting members can apply for grants, but the member in question will be disqualified from reviewing those grant applications for meeting criteria and ranking them.

Charlotte Read asked if alternate board members would be serving? Yes, but this will be discussed later.

Harry explained that CAB members are selected to serve for a 2-year term and can be reappointed. The Director of the DNR, John Goss, will fill vacancies (respective agency heads will fill vacancies for non-voting members). Suggested officers will be chair and secretary, each serving for a one-year term. Harry further explained that staff would record minutes; a record of minutes would be maintained by the official secretary, in a public office in the region, and also on a DNR web site.

Harry turned over the meeting to Deborah to review structure ideas (with Beth and Jenny recording). *Deborah asked if the suggested structure was suitable?* Charlotte Read suggested that the group select co-chairs to divide the responsibility so that if one couldn't make a meeting, the other could chair it. *Jack Hires asked how responsibilities would be divided?* Several recommended a chair/vice-chair structure, with the vice-chair serving in the chair's absence. Regarding secretary, Charlotte Read noted that the secretary is to be familiar with procedural matters for conducting a meeting (i.e. Robert's Rules of Order). *Tom Keilman asked if the secretary would handle processing and communications associated with grant applications?* Harry said staff would handle these matters. *Dionne Wisniewski requested that a report of finances be presented at board meetings.*

Kevin moved to select chair, vice-chair and secretary; Dionne seconded. Discussion included the appointment of a pro-tem chair until board members know each other better. **The motion carried with one abstention. A motion was made by Tim Morgan and seconded by Kevin to appoint a pro tem chair.** Discussion included how soon the next meeting would be held (for how long the pro tem chair would serve). A quarterly meeting timeframe would put the next meeting in July and the grant cycle demands that a meeting be held to approve grants

in October; though this could be done through a committee. Others thought that a chair could be selected tonight since a chair only served a one-year term (for four meetings). **Tim withdrew his motion.**

Tom moved to appoint Dr. Mark Reshkin as chair of the CAB. Charlotte seconded the motion. The motion was approved. Mark moved to front of the room and conducted the meeting from this point forward.

Jack moved to nominate Charlotte Read as vice-chair; Tom seconded. A motion made by the same pair to close nominations; this motion passed.

Tim moved to appoint J. Allen Johnson of Lake Co as secretary; Kevin seconded the motion. A motion was made by Tim to close nominations, seconded by Jack and passed.

Mark asked Harry to continue with an explanation of CAB meeting procedures. Harry continued: Meetings are open to the public. Meetings can be held and votes taken if a quorum is present; a quorum is 51 percent of voting members (12) present. Approval of a motion requires a "yes" vote from a majority (12) of the Board (not just a majority of quorum present). Kevin reminded that the only reason for abstaining from voting is a vested financial interest. Charlotte suggested that a news release announcing meeting dates and times needed to be sent out to the media or posted on the web earlier to assure attendance to meet a quorum. *Mark asked if quorums/voting rules apply to this board, since its role is as an "Advisory Board?"* The question was referred to Steve Lucas, who concurred with Harry's explanation, stating that the CAB would follow Indiana's "Open Door" rules. Mark concluded that it would be good to most often reach consensus prior to a vote to assure the CAB's work gets done.

Harry continued: Any items requiring action by the CAB should be received by the members seven days prior to the meeting on which the item to be acted on. It should also be on the agenda prior to the meeting; any new items to come after the seven-day minimum has passed or at a meeting would be handled at a subsequent meeting after being placed on the agenda. *A question was asked about CAB member meeting notification: how would notices be sent?* Mark polled the group regarding access to email. All confirmed access. Harry noted that the meeting news release, including meeting agenda, would also be posted on the website. Deborah noted that she prepares the meeting news release but must cleared through IDNR Public Information and Education staff prior to publication, which requires at least 24-48 hours additional time. Charlotte stated she would like the CAB to review an area media listing. Additional media names could be suggested.

CAB Meetings will be held quarterly. Any resignations from CAB should be in writing, giving at least one month's notice. *Mark asked about special meetings?* Two week's notice will be given for CAB regular meetings through DNR web site. Special meetings require 7-day media notice. Open Door law requires only 48-hour notice. It was concluded to have a goal to meet the 7-day notice provision, but the CAB would definitely meet the Open Door law (minimum 48-hour notice). Agenda items can be submitted by board members or DNR and should match the same time frame as meeting notice (7 days). *Mark asked if minutes of previous meeting need to be read and approved?* The board clarified that this only meant approval, although copies of minutes would be provided for guests at each meeting.

Clarification was given regarding "public comments." Steve explained that according to the state's Open Door law, no public comment is required although normally public comment is received on agenda items, but not on items that are not on agenda. Dorreen commented that she would like to see a more open dialogue, especially if the public is invited to comment. Jack stated his concern that if a concern is raised, who would be prepared to respond? John Hodges concurred that the CAB will be more productive if it did not respond to comments but let the CAB chair be given the privilege of placing items on the next meeting's agenda. Dave suggested that discretion be given to the CAB chair as to receiving comments at a meeting and responding to them. This was the consensus of the group. *Paul asked if the public would have any other opportunities besides the CAB meetings?* Harry said this would be the only forum. *Tim asked if the DNR website had a response site?* Deborah confirmed that it did; it was concluded that this was another avenue to make comment to DNR staff. Steve also confirmed that the CAB would not be holding any public hearings, though hearings may be held as part of the Coastal Program, just not before the CAB. Dionne asked about submitting agenda items; it was confirmed that the suggested format was just a standard one; it would be up to staff and CAB chair to develop the agenda. Tim suggested that future agendas should not only list agenda items, but also voting and non-voting members (and respective represented organization) and CAB officers, the

DNR website URL, and a contact phone number or email to make this more "user friendly" to both board members and the public.

Actions requiring a vote: the recommendation is that proxy or delegated votes not be accepted. This is important for continuity; certainly an alternate could sit in to gain information for reporting back to the voting member. John Hodges suggested it was not a very realistic rule to keep, due to people's busy schedules. He suggested a "designated delegate" to represent each voting member. Dionne thought the process, as originally suggested, was good, since there was a nomination process prior to selection and this was stated in the CAB member criteria. (It was noted that John was the "designated delegate" tonight for John Smolar and therefore he couldn't make a motion to change).

Dorreen asked about attendance policy? If a board member doesn't attend regularly, it diminishes the representation for the group. Harry explained that more formal attendance rules were developed but not included; they can be reviewed at the next meeting. Since the DNR director appoints board members, the CAB could make a recommendation to the director to replace a board member for "non-attendance"; a formal recommendation should be considered at a future meeting. Tim suggested that an attendance record of meetings be forwarded to the DNR Director, who can resolve any non-attendance issues. Charlotte thought that the DNR Director was too busy and the CAB should monitor attendance and make a recommendation to the Director (both about non-attendance and a suggested replacement for a voting member). Mark concluded that personal contact by DNR staff be made first with any folks not regularly attending CAB meetings before taking any action.

Future meetings: The next meeting should include consideration of future grant requests. Harry explained that by June 1, 2003, DNR needs to request funds (both administrative and grant funds) to NOAA, which will then be received on or after October 1, 2003, for FY 2004. There needs to be time to set priorities for grant applications. So a "target" time for the next CAB meeting would be late June or early July. To set day/dates for future meetings, Hank suggested that DNR staff poll CAB members for good meeting dates, and then select a date for the next meeting. Tim also suggested that the selected day be a "set time of the week/month" to assist with CAB members' planning schedules. Mark suggested that the time frame should be 2nd or 3rd week of July.

Jenny further explained that the CAB needs to set priorities before October 1, but didn't know details as to disbursement/use of grant funds (whether annual spending or multi-year term of disbursement). Jenny further explained that priorities would follow the three categories listed in the guide, but could also be suggested as "emerging issues." Mark stated that the CAB is comprised of members who are ready to be responsive to recommendations. He further recommended that DNR staff be prepared to make recommendations to board members for review with sufficient time prior to regular meetings.

Meeting locations: While there was no set pattern for location, it was envisioned that future meetings would be held in the evenings and be rotated among the three counties in the Coastal region.

DEVELOPMENT OF MISSION STATEMENT

Deborah passed out a sheet that gave suggestion for the development of a mission statement. It was quickly concluded that it would be best to work on mission statement development at a later meeting.

Next meeting's agenda: Mark recommended that the agenda for the next meeting include the following items: Pledge, roll call, approval of prior meeting's minutes, old business, new business, discussion of priorities, mission statement development, next meeting's agenda, location of next meeting, announcements, and public comments.

Mark confirmed that the group, by consensus, would like to hold the next meeting at NIRPC. *Charlotte asked if DNR would provide recorders and/or facilitators?* It was concluded that a facilitator is needed for the mission statement development; one would be arranged to assist with this process. Tom suggested that the board members be provided with mission statements from other organizations. Kevin commented about meeting time, given DNR staff commitments and "comp" time. Dorreen and Mark commented that the evening time would be most accessible to the public for attendance. Kevin suggested that the meeting time be earlier to "close the gap" between end of work and CAB meeting time. It was concluded that the time would be included in the meeting day/date poll of CAB members.

QUESTIONS AND ANSWERS

Liz asked what the roles were for the non-voting board members? Harry confirmed that the role was to represent their respective agencies noted in the guidelines. Bill further suggested that comments by non-voting members be limited to those related to their area of expertise. Mark also recommended that at future meetings non-voting members be seated with voting members at the table.

Public Comment

Don Wadleigh, ACE, asked if the board could provide agenda items to advisory members ahead of time so they would have time to prepare presentations ahead of time. He said the Chicago division of ACE has information on littoral drift, shoreline erosion, and dredging along the coast.

ADJOURNMENT

Kevin moved to adjourn; the motion was seconded, and approved. The meeting was adjourned at 8:45 p.m.

Minutes recorded by Gene Matzat, with assistance by Beth Forsness and Jenny Kintzele.